



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DOT-E 11232
(SECOND REVISION)

DEC 20 2001

EXPIRATION DATE: November 30, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** State of Alaska Department of Transportation and Public Facilities (DOT)
Juneau, AK
2. **PURPOSE AND LIMITATION:**
 - a. This exemption authorizes the transportation in commerce of Acetylene, dissolved, contained in a DOT specification cylinder secured on a state-owned maintenance motor vehicle while stowed on a protected vehicle deck on board a passenger ferry vessel. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. **REGULATORY SYSTEM AFFECTED:** 49 CFR Parts 106, 107 and 171-180.
4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR § 172.101, column (10A) for the entry "Acetylene, dissolved" in that other than "on deck only" stowage is authorized; the marking requirements in § 173.203(a) and § 172.301(c).
5. **BASIS:** This exemption is based on the application of the State of Alaska DOT dated July 20, 2001, submitted in accordance with § 107.109 and supplemental information dated November 2, 2001.
6. **HAZARDOUS MATERIALS (49 CFR § 172.101):**

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Acetylene, dissolved	2.1	UN1001	n/a

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7. PACKAGING AND SAFETY CONTROL MEASURES: Packaging prescribed is a single DOT Specification 8 or 8AL cylinder having a water capacity of not more than 100 pounds.
8. SPECIAL PROVISIONS: The marking requirements of § 172.203(a) and § 172.301(c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Passenger ferry vessel.
10. MODAL REQUIREMENTS:
 - a. Carriage of Acetylene, dissolved contained in a single DOT Specification 8 or 8AL cylinder of not more than 100 pounds water capacity onboard a passenger ferry vessel carrying any number of passengers is subject to the following conditions:
 1. A current copy of this exemption must be carried onboard each ferry vessel used to transport Acetylene, dissolved, under the terms of this exemption.
 2. The acetylene cylinder must have its valve protection cap in place and be stowed upright, secured in a permanent rack on the maintenance vehicle.
 3. The maintenance vehicle containing the acetylene cylinder must be the last vehicle loaded and the first vehicle off-loaded.
 4. Arrangements must be made to provide for rapid response to a casualty or fire that involves or could involve the maintenance vehicle containing the acetylene cylinder. The maintenance vehicle containing the acetylene cylinder must be stowed away from any external heat source and in the vicinity of a cargo door so that the acetylene or vehicle may be jettisoned in the event of an emergency. In addition, if weather and other conditions permit, a charged fire hose must be laid out in the vicinity of the maintenance vehicle.
 5. An hourly inspection of the maintenance vehicle and the acetylene cylinder must be made by the watchman.
 6. Passengers may not remain in the area of the maintenance vehicle containing the acetylene cylinder during the voyage.

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b. Compliance with the above provisions and any additional provisions must be to the satisfaction of the cognizant Coast Guard Captain of the Port.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln